




June 2, 1999

MEMORANDUM

TO: Administrators of Chiropractic Facilities, Community Residential Care Facilities, Habilitation Centers For The Mentally Retarded, Nursing Homes, and Residential Treatment Facilities for Children and Adolescents

FROM: Jerry L. Paul, Director 
Health Licensing Section

SUBJECT: Conditions Allowing a Provider-wide Exception to the Requirements of Regulation 61-90, Chiropractic Facilities, Section 906.C; Regulation 61-84, Standards for Licensing Community Residential Care Facilities, Section 1006.B.3.a; Regulation 61-13, Habilitation Centers For The Mentally Retarded, Section N(2)(b)(1)(a); Regulation 61-17, Standards For Licensing Nursing Homes, Section K(6)(f)(2)(a); Regulation 61-103, Residential Treatment Facilities for Children and Adolescents, Section I(1)(c)(1)(a)

Regulation 61-90, Section 2501.B, requires that, "Food shall be maintained at safe temperatures (cold foods 45 degrees F. or below, hot foods 140 degrees F. or above)." Regulations 61-84, 61-13, 61-17, and 61-103 require that "all potentially hazardous food shall be maintained at safe temperatures (45 degrees Fahrenheit or below, or 130 degrees Fahrenheit or above)."

Chapter II, Section B.1 of the DHEC Regulation 61-25, Retail Food Establishments, requires that "The temperature of potentially hazardous food shall be 45 degrees F. (7.2 degrees C.) or below, or **130 degrees F.** (54 degrees C.) or above, at all times except as otherwise provided in this regulation." It has been determined that the 140 degrees F. high range temperature for unsafe food storage indicated in the afore-mentioned regulations may be excessively restrictive. In the interest of establishing reasonable standards which can be met by providers and yet do not compromise the health and well-being of patients cared for in the above facilities, it has been determined that alternative standards will be considered as acceptable.

All chiropractic facilities, community residential care facilities, habilitation centers for the mentally retarded, nursing homes, and residential treatment facilities for children and adolescents will be required to meet the standard outlined in each facility's respective

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licensing standard, i.e., R61-90, Section 906.C, R61-84, Section 1006.B.3.a, R61-13, Section N(2)(b)(1)(a), R61-17, Section K(6)(f)(2)(a); or R61-103, Section I(1)(c)(1)(a), **or, as an alternative:**

For chiropractic facilities, "Food shall be maintained at safe temperatures (cold foods 45 degrees F. or below, hot foods 130 degrees F. or above)." For the other facilities identified, "All potentially hazardous food shall be maintained at safe temperatures (45 degrees Fahrenheit or below, or 130 degrees Fahrenheit or above)."

These exceptions apply to any chiropractic facility, community residential care facility, habilitation center for the mentally retarded, nursing home, or residential treatment facility for children and adolescents licensed by the Department. It relates solely to SC licensing standards. Any adverse condition(s) that may be related to this exception may result in revocation of the exception by the Department.

If there are any questions, you may call Gene Chestnut at (803) 737-7220.

JPL/JML

cc: Alice Truluck
Bill Trawick, SCANPHA
Sandra Lynn, SCARCH
J. Randall Lee, SCHCA
Louetta Slice, SCNHA
Brad Beasley, SCDDSN
Karen Price, Certification Branch